IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Habeas Corpus No. 20 of 2005

1. Harpreet Singh Sandhu,
2. Kamaljeet Singh Sandhu,

Both son of Sri Trilok Singh Sandhu, student of Nancy Convent Jeolikote, Nainital, resident of 71 Janak Park, Hari Nagar, Clock Tower, New Delhi.

……Petitioners/Detenue.

V e r s u s.

1. State of Uttaranchal through Senior Superintendent of Police, Nainital.
2. Sri Saxena, Principal, Nancy Convent.
3. Sri I.P. Singh, Director Nancy Convent.
4. Smt. Manju Singh, Chairperson, Nancy Convent, Jeolikote, Nainital, Uttaranchal.

……Respondents.

Hon'ble Rajesh Tandon, J.

Heard Sri J.S. Virk, learned counsel for the petitioners learned AGA learned counsel for the respondent no. 1, and Sri M. S. Pal, Sr. Advocate, assisted by Sri J.P. Singh, learned counsel for the respondent nos. 2 to 4.

By means of this writ petition, the petitioners have prayed for the writ in the nature of Habeas Corpus commanding the respondents no. 2 to 4 to produce the petitioners. On 24.11.2005 notices were issued to the respondents and thereafter, again on 06.12.2005, learned AGA has given an undertaking to produce the petitioners on the next date fixed i.e. on 13.12.2005. Both the

petitioners are present, as such, the writ petition has become infructuous.

Sri M.S. Pal appearing on behalf of the college has undertaken not to harass the petitioners in getting the transfer certificate or any other formalities while completing their education. However, so far as dues are concerned, Principal, Nancy Convent, i.e. respondent no. 2 is directed to depute someone from the college to resolve the dispute with regard to the dues.

Investigating Officer is present. His personal appearance is exempted.

In view of the above, writ petition is dismissed as infructuous. No order as to costs.

(Rejesh Tandon, J.)

December 13, 2005
SKSharma